

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHRIS WASHINGTON-EL, Plaintiff	:	CIVIL NO. 3:12-CV-1979
v.	:	(JUDGE NEALON)
ROBERT COLLINS, <u>ET AL.</u> , Defendants	:	(MAGISTRATE JUDGE CARLSON)

**ORDER**

NOW, THIS 22<sup>ND</sup> DAY OF SEPTEMBER, 2016, for the reasons stated in the

Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' objections, (Doc. 123), to the Report and Recommendation, are **OVERRULED**;
2. The Report and Recommendation, (Doc. 122), is **ADOPTED**;
3. Defendants' affirmative defense that Plaintiff failed to exhaust his administrative remedies thus barring the instant action from proceeding, (Doc. 103), is **DENIED**; and
4. The matter is remanded to Magistrate Judge Martin C. Carlson for further proceedings.

**FILED  
SCRANTON**

SEP 22 2016

Per   
DEPUTY CLERK

/s/ William J. Nealon  
United States District Judge